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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,523	08/03/2001	Yoshiyuki Nanba	1990.65728	6805

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EXAMINER

DINH, TAN X

ART UNIT PAPER NUMBER

2653

DATE MAILED: 02/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No

09/921,523

Applicant(s)

NANBA, YOSHIYUKI

Examiner

TAN X. DINH

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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1) Applicant's election without traverse of Group I (claims 1-6, 13 and 14 ) in Paper No.5 is acknowledged.

2) The I.D.S filed 10/19/2001 has been considered by the Examiner. However, the Japan and/or foreign document(s), if they have not been written in English, are considered to the extent that could be understood from the Abstract ( in English ) and the drawings.

Form PTO-1449 is attached herein.

3) The disclosure is objected to because of the following informalities: The statement of `` An arrow 216 indicates a medium rotating direction `` in the specification, page 2 is uncorrected. Further, the description of number ``218`` is omitted in the specification also.

Appropriate correction is required.

4) The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested.

MAGNETO-OPTICAL STORAGE MEDIUM HAVING DATA IN UNIFORM  
MAGNETIZED RECORDING DIRECTION.

Art Unit: 2653

5) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

6) (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7) Claims 1,2,4,5,13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's PRIOR ART ( Figs.1A, 1B, 5A and 5B ).

The applicant's prior art ( Figs.1A, 1B, 5A and 5B ) discloses a magneto-optical recording medium as claimed in claims 1,4, 13 and 14, comprising a recording layer ( Fig.1B, 200 ), a reproducing layer ( Fig.1B, 204 ) wherein magnetizing directions of a buffer area, a sector address area and a gap area which are sandwiched between data areas are uniformly magnetized in a recording direction ( Fig.1B, the magnetizing directions of a buffer area, a sector address area and a gap area are the same as recording direction 210. further, compared prior art figure 1A, 1B to figure 6A, 6B and 6C for front data area, buffer area, a sector address area and a gap area and next data area ).

As to claims 2 and 5, the prior art of figures 1A shows a mask in recording layer is reflected from an aperture sandwiched between a front mask formed ahead of a reproducing beam in reproducing layer and a rear mask formed behind the reproducing

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beam, and the data is reproduced by an MSR ( figure 1A, rear mask 212, 214, 205, front mask 206 ).

8) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9) Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's prior art ( figure 1A, 1B, 5A and 5B ) and further in view of HOSOKAWA ( 6,570,826 ).

The Applicant's prior art discloses all the subject matter claimed as in claims 3 and 6, except to specifically show that the information are recorded on both land and groove. HOSOKAWA from the same field teaches a magneto-optical recording medium wherein the information are record on both land groove using MSR technology ( column 2, lines 17-27 ). Since the method as taught by HOSOKAWA is old and well known in the art, it would have been obvious at the time of the invention was made to use the method of recording on both land and groove in the applicant's prior art as claimed.

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10) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TAKEUCHI et al ( 6,625,090 ), TANAKA et al ( 5,966,350 ), TAMANOI et al ( 6,180,268 ) and NANBA ( 6,584,066 ) discloses a magneto-optical recording medium wherein the information data are recorded and reproduced by MSR technology.

11) Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAN DINH whose telephone number is (703)308-4859. The examiner can normally be reached on Monday to Friday from 8:00AM to 5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4750.



TAN X. DINH  
Primary Examiner  
Art Unit 2653

Art Unit: 2653

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